

**REMARKS**

Claims 1-5 are pending. Claim 1 has been amended. No new matter has been presented.

Claims 1-5 are rejected under 35 USC 102(e) as being anticipated by Curtis, U.S. Patent 6,387,764. This rejection is respectfully traversed.

Claim 1 recites “selectively growing a first insulation material in the trench to fill the at least one trench in the substrate in at least a lower part of the one trench with the insulation material in the presence of the mask.” It is important to note that the trench is filled in at least a lower part of the trench while the mask is still present. Curtis fails to disclose or suggest this feature.

The Examiner cites to col. 1, lines 45-57 as teaching this feature. However, Curtis fails to specifically disclose that the mask is still present when the trench is filled with insulation material.

Further, claim 1 recites that the insulation material fills at least a lower part of the trench. The oxide liner disclosed in Curtis does not fill the lower part of the trenches, but rather is only about 10 bis 40 nm, which is negligible compared to the depth of the trench. Thus, for at least these reasons, the features of claim 1 are not taught or suggested by Curtis.

The remaining claims are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn.

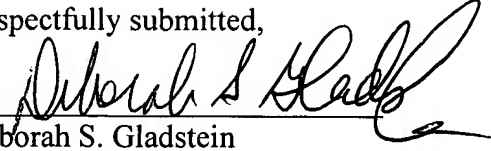
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and

authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 543822005000.

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Respectfully submitted,

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